

MEMO ENDORSED

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Stephen A. Katz (MA, NY & PA)

Honorable Nelson S. Roman
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Hutter v. Countrywide Bank, N.A., Civil Action no. 09-CIV-10092 (NSR) (LMS)

Dear Judge Roman:

I represent the plaintiff Nance M. Hutter. A dispute has arisen about whether Mrs. Hutter must serve a particular document on defendants' counsel.

The Court's endorsement of Hutter's letter of 17 November 2014¹ allows Hutter to submit to the Court her opposition to my motion to withdraw as her counsel. Since an important part of my motion to withdraw is an in camera affidavit, Hutter believes that her opposition to my motion should also be in camera. But defendant Countrywide Bank's counsel BJ Finneran insists that Hutter must serve her opposition to my motion on the defendants.

Hutter's opposition contains confidential information about her case, so it would weaken the case if the defendants obtained the information. The principle that an attorney should seek to withdraw from a case without harming his client, so that the attorney's grounds for withdrawing must be kept confidential, applies equally to Hutter's *response* to my motion to withdraw: it should be kept confidential. That is Hutter's reasoning.

Would the Court resolve this matter? Thank you.

Sincerely yours,


Stephen A. Katz

Defendants' counsel directed to respond to this letter in writing by Dec. 17, 2014.

Dated: Dec. 12, 2014
White Plains, NY

SO ORDERED:

11 December 2014


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

USDC SDNY	DOCUMENT	ELECTRONICALLY FILED	cc: See ECF Docket no. 166 (endorsed letter).
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